

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CHRISTIANA TRUST,

Plaintiff,

v.

FIDELITY NATIONAL TITLE INSURANCE  
COMPANT, *et al.*,

Defendants.

Case No. 2:20-cv-00115-KJD-DJA

**ORDER**

Presently before the Court is Defendants' Motion to Stay (#42). Plaintiff filed a response in opposition (#43) to which Defendants replied (#44).

Defendants argue that a Landis stay is appropriate given the substantially similar insurance coverage issues raised in this case and two different cases, PennyMac Corp. v. Westcor Land Title Ins. Co., Eighth Judicial District Case No. A-18-781257-C, Supreme Court Case No. 83737 and Deutsche Bank National Trust Company v. Fidelity National Title Group, Inc., Eighth Judicial District Court Case No. A-20-820307-C, that are currently pending in the Nevada Supreme Court. (#42, at 1-2).

I. Legal Standard

A district court has the inherent power to stay cases to control its docket and promote the efficient use of judicial resources. Landis v. North Am. Co., 299 U.S. 248, 254-55 (1936); Dependable Highway Exp., Inc., v. Navigators Ins. Co., 498 F.3d 1059, 1066 (9th Cir. 2007). When determining whether a stay is appropriate pending the resolution of another case—often called a "Landis stay"—the district court must weigh: (1) the possible damage that may result from a stay, (2) any "hardship or inequity" that a party may suffer if required to go forward, and (3) "and the orderly course of justice measured in terms of the simplifying or complicating of

1 issues, proof, and questions of law” that a stay will engender. Lockyer v. Mirant Corp., 398 F.3d  
2 1098, 1110 (9th Cir. 2005).

3 II. Analysis

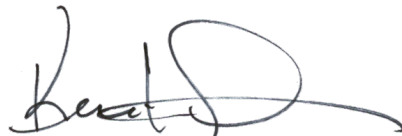
4 The Court, having considered the arguments raised in the complaint and considering the  
5 issues raised to the Nevada Supreme Court in PennyMac and Deutsche Bank, finds there is  
6 significant overlap to warrant granting the motion to stay. Further, the questions at issue involve  
7 important issues of State law that should be resolved by the highest court of the State of Nevada.  
8 While this Court normally resolves these questions by predicting how the Nevada Supreme  
9 Court would rule, it would be a waste of judicial resources to do so while the questions are  
10 currently pending before the state supreme court.

11 To be sure, the Court notes that there is hardship to parties who must delay discovery or  
12 wait longer for resolution of their case. However, that hardship is balanced by potentially  
13 avoiding the cost of discovery altogether if the Nevada Supreme Court issues a ruling that either  
14 disposes of claims entirely or crystalizes the benefits of settlement. Here, the Court does agree  
15 with Plaintiff that some issues will remain unresolved even after the Nevada Supreme Court  
16 decisions, but the fact remains that these decisions will help resolve certain complex questions of  
17 law. The “orderly course of justice” now balances in favor of a stay. Lockyer, 398 F.3d at 1110.  
18 Therefore, the motion to stay is **GRANTED**.

19 III. Conclusion

20 Accordingly, **IT IS HEREBY ORDERED** that Defendants’ Motion to Stay (#42) is  
21 **GRANTED**.

22  
23 DATED this 11<sup>th</sup> day of August 2023.

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27 Kent J. Dawson  
28 United States District Judge